

(d) **LIMITATION.**—The Chairman shall make any adjustments pursuant to this section in a manner consistent with the limitations described in sections 4(c) and 7(h) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139).

(e) **DEFINITION.**—For the purposes of this section, the terms “budgetary effects” or “effects” mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(f) **SUNSET.**—This section shall expire on December 31, 2011.

Subtitle B—Budgetary Treatment, Application, and Adjustments

SEC. 311. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) **BUDGET COMMITTEE DETERMINATIONS.**—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 314. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 323. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, to extend the expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until June 1, 2015, and for other purposes; which was ordered to lie on the table.

SA 324. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 325. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 326. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 327. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 328. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

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SA 330. Mr. UDALL of Colorado (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 331. Mr. UDALL of Colorado (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 332. Mr. UDALL of Colorado (for himself, Mr. PAUL, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 333. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

SA 334. Mr. LEAHY (for himself, Mr. PAUL, Mr. CARDIN, Mr. BINGAMAN, Mr. COONS, Mrs. SHAHEEN, Mr. WYDEN, Mr. FRANKEN, Mrs. GILLIBRAND, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 1038, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 323. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, to extend the expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until June 1, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. JUDICIAL REVIEW OF NATIONAL SECURITY LETTERS.

Section 3511 of title 18, United States Code, is amended by adding at the end the following:

“(f) **NATIONAL SECURITY LETTERS.**—An officer or employee of the United States may not issue a National Security Letter under section 270 of title 18, United States Code, section 626 or 627 of the Fair Credit Report-

ing Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802(a) of the National Security Act of 1947 (50 U.S.C. 436(a)) unless—

“(1) the National Security Letter is submitted to a judge of the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803); and

“(2) such judge issues an order finding that a warrant could be issued under rule 41 of the Federal Rules of Criminal Procedure to search for and seize the information sought to be obtained in the National Security Letter.”.

SA 324. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, to extend the expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until June 1, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. SUSPICIOUS ACTIVITY REPORTS.

Section 5318(g) of title 31, United States Code, is amended—

(1) in paragraph (1), by inserting before the period at the end the following: “, except as provided in paragraph (5)”; and

(2) by adding at the end the following:

“(5) **EXEMPTION.**—

“(A) **IN GENERAL.**—A failure to submit a report with respect to a suspicious transaction shall not be a violation of this subsection with respect to a financial institution or any person described in paragraph (1), in any case in which such financial institution or person—

“(i) has in effect an established decision-making process with respect to suspicious transactions;

“(ii) has made a good faith effort to follow existing policies, procedures, and processes with respect to suspicious transactions; and

“(iii) has determined not to file a report with respect to a particular transaction.

“(B) **EXCEPTION.**—The exemption provided under subparagraph (A) does not apply in any case in which the failure to submit a suspicious transaction report is accompanied by evidence of bad faith on the part of the financial institution or other person described in paragraph (1).”.

SA 325. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1038, to extend the expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until June 1, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. JUDICIAL REVIEW OF SUSPICIOUS ACTIVITY REPORTS.

Section 5318(g) of title 31, United States Code, is amended—

(1) in paragraph (1), by inserting before the period at the end “, subject to judicial review under paragraph (5)”; and

(2) by adding at the end the following:

“(5) **JUDICIAL REVIEW.**—The Secretary may not, under this section or the rules issued under this section, or under any other provision of law, require any financial institution, director, officer, employee, or agent of any financial institution, or any other entity that is otherwise subject to regulation or